# DEFENSE OF HAYWOOD TO CHARGE OF MURDER

Continued from Page 1.

cases out of 100 the men have not even been given the grace of a trial. As soon as the Western Federation of Liners was born the mine owners set about to destroy it and as the chief means of destruction they hired the Pinkerton detective agency, with one McParland at its head. We will show you that this agency has been busy steuthing, following, working and lying to get these men. We will show that they have hired detectives and placed them in positions of responsibility as secretaries and presidents of local unions; that these hired men constantly advised the miners to strike and that when a strike was on they counselled violence, dynamite and murder. They did it at Teliuride; they did it at Cripple Creek, and at many other places.

Federation Always Blamed.

"We will show that the Pinkerton Detective agency has been the chief factor in this case from the very beginning. They have organized themselves into a band to spread caremny against the Western Federation of Miners. We will show that in one case, where a cage fell, because cases out of 100 the men have not even | Haywood was but a plain, ordinary

Federation of Miners. We will show that in one case where a cage fell, because of defective machinery, and sixteen men were killed, it was laid to the Western Federation of Miners.

"The burning of the Moscow university was laid to the leader of the Western Federation of Miners. Every illegitimate child born west of the Mississippi has been wrapped in swaddling clothes, hurried to Denver and laid on the doorstep of the Western Federation of Miners."

Western Federation of Miners."

Mr. Darrow turned his attention to the Miners Magazine. He said that probably many foolish and intemperate things crept into it, but the editors had no college eduation and Moyer and Pettibone paid lit-

"We will read to you matter from the Miners' Magazine not introduced by the state. We will show that they did not advise violence and that they counselled a wise administration and discussed the

#### Coeur d'Alene Troubles.

Continuing. Mr. Darrow said:

"This brings us to 1839 and the troubles in the Coeur d'Alenes, when Steunenberg was governor. The Western Federation of Miners was getting along all right. Then something happened. An irresponsible mob of 1.000 people made up of miners and merchants, preachers and hangers on and everyone who wanted a ride, went down and the Bunker Hill and Sullivan mines were blown up. The powder was turnished by a rival company. At that time Harry Orchard, who is in this case, had been there for a month carrying a union card. Jack Simpkins was in the Coeur d'Alenes.

"Then came the call for troops. Rightly or wrongly. Steunenberg called for
troops. Jack Simpkins was arrested and
thrown into the 'bull pen'. He was maltreated. He was stood up at a post by a colored soldier and a bayonet was driven into his breast.

Orchard Not at Bunker Hill.

"Harry Orchard was in the Coeur d'Alenes. Harry Orchard was a cheap soldier of fortune, a shoestring gambler who had never done a day's work in his life. He owned a sixteenth share of the Hercules mine, but sold it because of his needs and continued his gambling. The mine didn't yield until 1901. But Orchard, hoping on, stayed around to get a share of the mine.

"We don't think that Orchard was at the Bunker Hill & Sullivan mill. We will show he was not there, and we will show that he was engaged in his favorite work of sambling."

"In Haywood, Moyer or Pettibone had seen Orchard was when the man came to Denver on a pass and on money issued by D. C. Scott, chief of detectives of the Florence & Cripple Creek railroad. "An oily, slimy fellow," Mr. Darrow termed the detective. "Cripple Creek had become the Waterloo of the Western Federation of Miners in Colorado," said Mr. Darrow. "The organization had fine halls, co-operative stores, libraries. It was flourishing and doing somethisg until it took a chance in going out to help the striking smelter men in Colorado City."

Plot of Railway Company.

show that he was engaged in his favorite work of gambling with the easiest mark he could find. We will show that mark he could find. We will show that he did not participate in most of the crimes of which he has boasted. I don't like to take any of the bloom off a peach like that, but, while we will show that he is no the murderer he boasts himself, we will compensate him by proving him to be the most monumental lier that over existed. that ever existed.

## Agrees to Convince Hawley.

"Before our first witness leaves the stand, gentlemen of the jury, we will convince you; we will even convince Mr. Hawley himself that this man Orchard has lied about most of the essential points of his story. We will have from twenty-five to thirty witnesses who will take the stand and contradict this man absolutely. Some of these witnesses will be miners, but others will be eminently day's work in their lives." Here, as at other points in his speech,

Mr. Darrow's sarcasm caused wave after wave of laughter in the courtroom. Sometimes the bailiffs had to rap for order. Mr. Darrow briefly sketched the wanderings of Orchard as related by that witness himself. Orchard remained in the Coeur d'Alenes, he said, trying to regain possession of his one-sixteenth interest in the Hercules mine, until he was driven out by fear of arrest and confinement in the "bull pen."

Moyer will tell you this himself. "Then when Moyer went down to Telluride to visit the union there, he took this man who had won his confidence along to protect him from the thugs of the mine owners. No sooner, however, by the mine owners and thrown in the "bull pen," where he remained for many months, unable to take any part in any further conspiracies."

## Orchard's Lost Fortune.

mined the miners. In 1902 he turned up in Cripple Creek. But from 1899 to 1902 this Cripple Creek. But from 1899 to 1892 this important personage in American history is all but lost to view. It is pretty certain, however, that during all that time he could be found in the back room of he could be found in the back room of a could be found in the back room of loss wanted the military back in the district and about the time that this desired blown up the word had gone some saloon gambling.

"If Orchard today held his one-sixteenth interest in the Hercules mine he
would be worth half a million dollars;
but I think he'd rather have what he's
got, because it is more valuable to the
newsparers."

#### Haywood Born in Utah.

Mr. Darrow went on to describe the three defendants in the Steunenberg murder in detail. He declared that Haywood was born in Utah—an American citizen whose forefathers came to America prior

"He is a plain, blunt, courageous fighting man," declared Mr. Darrow, "fighting the militia when necessary, fighting for the rights of the workingman; fighting for the protection of the widows and

"And Moyer. What of Moyer? A plain, "And Moyer. What of Moyer? A plain, blunt, honest man, whose ancestry were honest men. Moyer was the man who, at the head of the Western Federation of Miners, fought every conceivable fight, as men like him, born of such stock, will always fight. Moyer was a man whose sturdy honesty and quiet bravery won the confidence and held the respect of every one.

"And what about Pettibone. George Pettibone had never been a member of the Western Federation of Miners. He had mined and then started his store. A happy, careless, sunny man, with a laugh and a joke for everyone. There wasn't a man, woman or child on the street who was not his friend—not a lame dog or cat but could find a home in his woodshel. That was George Petitions.

Pettibone, the attorney said, was never connected intimately in any way with the Western Federation of Liners.

#### Orchard at Cripple Creek.

mr. Darrow then took up Orchard's life at Cripple Creek. He declared that Orchard burned a saloon and high graded at the very outset of his career. He went into the story of the alleged attempt to wreck the train of the Florence & Cripple Creek railroad, which had falsely been laid to the Western 'Federation of Miners, and declared the first time Haywood. Moyer or Pettibone had seen Orchard was when the man came to Denver on a pass and on money issued

Mr. Darrow said the attempt to wreck a train was a plot of the railway com-pany and the Mine Owners' association to wreck the union. He said the de-fense would show that Orchard was constantly in company with the detectives of the railroad and the mine owners.

"And while honest, hard-working min ers were denied the privilege of passing the military lines, this leper Orchard went in and out as he pleased. General orders were issued that Harry Orchard should go and come when he wanted to, said Mr. Darrow.
"We will show that Orchard came to

wince you; we will even convince Mr. when you have never done and story. We will have from enty-five to thirty witnesses who will be the stand and contradict this man obutely. Some of these witnesses will miners, but others will be eminently bectable people who have never done lay's work in their lives."

There he met Orchard, who ingratiated himself with Möyer, who trusted him. Orchard gained Moyer's confidence, but we will prove that Moyer never said the things to him that Orchard claims were barrow's sarcasm caused wave after said. Moyer will tell you this himself.

or not, but he was inclined to believe that he did not. The depot was a worthpot was blown up the word had gone out that something was coming off. I won't say that the mine owners or detectives wanted to kill anybody at this detective wanted to kill anybody at this depot. Killing people was too mussy for gof, because it is more valuable to the newspapers."

The Three Defendants.

Mr. Darrow said that when Orchard left the Coeur d'Alenes after the blowing up of the Bunker Hill & Sullivan mill.

depot, Khing people was too mussy for them. This depot was worthless and unused. If the powder could be touched off just before the train arrived and before the men got there, it wouldn't kill anybody, but it would be another attempt in the line of the Western Federation of



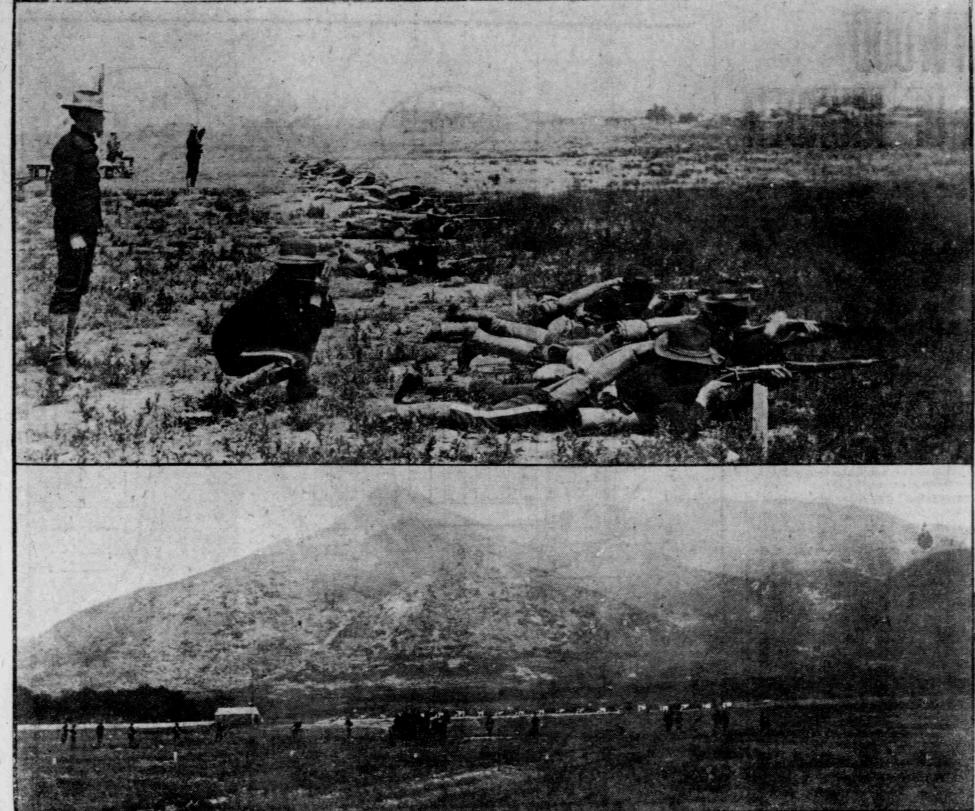
## You don't need to worry about your clothes

Leave it to us and we will fit you with a Hart, Schaffner & Marx suit, a Knox hat and other things in keeping.

I Everything here is worth more.

Richard Tou Vadamise

## ARMY TARGET PRACTICE AT DOUGLAS; REGIMENT INSPECTED BY GEN. THOMAS



The upper picture shows marksmen shooting at a distance of six hundred yards. The lower picture shows General Thomas' rig in the rear of Photos by Harry Shipler. the marksmen, and the white targets 200 yards distant.

Regular army target practice, which ton to take general supervision and Capusus is beating down. The experts will General Earl D. Thomas, who came yeshas been in progress on the ranges at Fort tain J. E. Woodward is in direct charge begin their firing at 6 o'clock this morning. Douglas for nearly a month past, will of the firing. Douglas for nearly a month past, will end Thursday. The scores and fecords will be completed by June 30. The practice includes all of the men at the post, approximately 760. The firing has been remarkably accurate, according to the

testimony of the officers, but despite the the territorial contests because the Twen- ning ty-ninth will leave for the Philippines on Aug. 5. Some of the officers are already preparing for the voyage to the islands. The practice at Fort Douglas is under tice the shapshooter fires from different ommand of Colonel Lockwood. Colonel distances, advancing on the double quick. Lockwood has designated Major Pendle- It is extremely trying work when a hot by the department commander, Brigadier John Gaujot.

Miners to get rid of a lot of scabs. Following the explosion the town marshal sent for dogs to follow the train from where a wire led to a chair rung. The dogs circled around awhile and went to the cottage of Al B. Moore. They were taken away and started out again, and once more they came to Al B. Moore's house. Then other dogs were sent for, and they took the trail down toward Colorado Springs. The man in charge called the coverage of the coverage of the regular course of business. We will show that Simpkins drew as small an amount from the federation treasury as and once more they came to Al B. Moore's house. Then other dogs were sent for, and they took the trail down toward Colorado. Here Mr. Darrow explained the defense's up K. C. Sterling, chief detective of the Mine Owners' association, and told him to call off the dogs; that he knew who did it.

The man in charge called the defense's the dogs were on a sure scent. But Sterling told him to call off the dogs; that he knew who did it. he knew who did it.

## Dogs Called Off.

"The dogs were called off," said Mr. Darrow, "and Orchard came back to Denver and went where he willed without being arrested or molested in any way." Describing the conditions which followed owed the explosion of the Independence depot, Mr. Darrow said that the secre-Blowing Up of Independence Depot. tary of the Mine Owners' association made "Then he wandered from place to place, seldom working," said Mr. Darrow. "He independence depot, Mr. Darrow said he was a sort of gentlemanly miner who did not know whether Orchard blew it up that now was the time to get rid of the organization. Just then a shot was fired. "We will show that K. C. Sterling fired the shot," said the attorney, "and that it was the signal for a general skirmish. Many shots were fired, and when the smoke cleared away two men lay dead. Two lawyers were found lying under a wagon. They were not hurt. "Do you mean they were lying down or making false statements under the wa-gon?" interrupted Attorney Hawley with good humor and amid laughter,

## Militia at Cripple Creek.

"They weren't saying a word," replied Darrow, who then went into a detailed

Ethel Barrymore, the actress, was among the spectators at the trial during the afternoon session, as were also Gifford Pinchot, chief of the bureau of forestry at Washington, and Judge Dietrich of the federal court.

Mr. Darrow resuming his speech after. Mr. Darrow, resuming his speech after the recess, continued to narrate to the jury a story of the conditions prevailing in the Cripple Creek district during the period of martial law following the Inde-pendence denot explosion

Arrest of Moyer at Ouray.

He told how Moyer had first been arrested at Ouray on a charge of desecrating the American lag and then was held in custody as a "natter of military necessity." Moyer also was charged with the murder of the two men killed in the riot at Independence—the riot which had occurred while he was in the hull near riot at Independence—the Flot Which had occurred while he was in the bull pen presided over by Bulkley Wells.

Mr. Darrow told of the deportation of the union miners from Cripple Creek and

are interchanged. Captain Woodward says that the result of the firing has been highly satisfactory from the beginthirteenth. and Lieutenant Point, twenthirteenth. and Lieutenant Point, tweneral inspection.

Today a reception will be given in General Thomas firing, Captain A!eral inspection. records made, none of the men will enter been highly satisfactory from the begin-

The most interesting part of the practice is the skirmish firing, which is with full equipment of haversack,

him from time to time. Pettibone had a big safe where he kept things for many persons. Orchard gave him the money to put away. He also gave him a Masonic charm and his membership card in the Western Federation of Miners and other Pettibone went out and helped Orchard to buy some camp things, fishng tackle, etc. Orchard went to Chey-nne with the two Nevilles. At Cheyenne he loafed about Pat Moran's saloon. I never asked Moran to go to Pettibo nd get money and Moran never went to

'After Orchard disappeared from Cheyone he did not come back to Denver that ear so far as any persons connected with this case knows. But in the meantime it was claimed in Denver that the Western Federation of Miners had caused the death of Lyte Gregory. Our evidence will show that the federation had no griev-hetever against Gregory and knew nce whatever against Gregory, and knew nothing about him. Gregory had been deputy in the coal fields in which the organization headed by John Mitchel by John Mitchell alone was interested.

## The Pettibone Letters.

"Orchard said when he left Denver that Darrow, who then went into a detailed story of the alleged depredations of the militia upon union property in the Cripple Creek district. All the union men were driven out; their stores and halls and libraries were broken into and looted. He said that the militia some time later heard that 100 of the deported men were or corchard's nine dreams thrown in to make He said that the militia some time later about the Bradley house was another of heard that 100 of the deported men were Orchard's pipe dreams thrown in to make heard that 100 of the deported men were gathered in a canyon and were prospecting. Under General Sherman Bell the soldiers were taken to the place, and the men were fired upon—one being killed and others injured. All were arrested and taken hack to the district and put in the bull pen.

A recess until 2 p. m. was then taken. Mr. Darrow having about half completed his speech.

Ethel Barrymore, the actress, was among the spectators at the trial during the spectators at the trial during the spectators are seen to make the min the greatest criminal of the age. We have a deposition from Mr. Bradley in which he says the house was wrecked by gas; that he smelled the gas and that when he lighted his cigar the explosion occurred. Why, if the bomb this man Orthogolar that when he lighted his cigar the explosion occurred. Why, if the bomb this man Orthogolar that when he lighted his cigar the explosion occurred. Why, if the bomb this man Orthogolar than the says the house was wrecked by gas; that he smelled the gas and that when he lighted his cigar the explosion occurred. Why, if the bomb this man Orthogolar than the says the house was wrecked by gas; that he smelled the gas and that when he lighted his cigar the explosion occurred. Why, if the bomb this man Orthogolar than the says the house was wrecked by gas; that he smelled the gas and that when he lighted his cigar the explosion occurred. Why, if the bomb this man Orthogolar than the says the house was wrecked by gas; that he smelled the gas and that when he lighted his cigar the explosion occurred. Why, if the bomb this man Orthogolar than the says the house was wrecked by gas; that he smelled the gas and that when he lighted his cigar the explosion occurred. Why, if the bomb this man Orthogolar than the says the house was wrecked by gas; that he says the house was wrecked by gas; that he says the house was wrecked by gas; that he says the house was wrecked by gas; that he says the house was wrecked by gas; that he says the house was wrecked by gas; that he says th tell you this without having any special interest in defending Harry Orchard. "In San Francisco when Orchard was there. D. C. Copley was delivering illustrated lectures on the Cripple Creek strike. Orchard went to the lecture one night and asked if he had heard of the explosion at Bradley's house. Copley said he had, and Orchard then said that

Bradley's kind—that it was Governor Steunenberg. 'If it had not have been for him,' said Orchard, 'I'd be a rich man teday, and I'll kill him if it is the last act of my life.'

th. There will be contestants from post in the United States at the as will leave Salt Lake City this afterty-sixth. Fort Sheridan contest.

A striking spectacle at the fort last vening was the inspection of the troops. Thomas is accompanied by Lieutenant

safe, at least. I won't answer for their being sound.

"We expect to show that at this time Goddard, Gabbert and Peabody were more roundly abused than any men in Colorado. Goddard and Cabbert were accused of her the colorado. Goddard and Cabbert were accused of her the colorado. The colorado is the colorado of the colorado. Goddard and Cabbert were accused of her the colorado.

this jury all that he knows. I doubt very much if Pettibone will be put of the stand, as he was never an officer of Goddard and Gabbert were accused of being traiters to their party."

Mr. Darrow went at length into the political situation in Colorado at that time. He told how the members of the supreme it. I won't say for sure as to Pettibone He told how the members of the supreme court were pilloried and cartooned throughout Denver and even flags were hoisted at half mast.

He told how the members of the supreme cartooned at Caldwell, we may not be able to show you except by argument whom it came from or what it was about, but we will

throughout Denver and even flags were hoisted at half mast.

"Like a hungry dog seeking a meal Orchard did at this time go to Pettibone's house and stayed there. Mrs. Pettibone had gone east and Pettibone told Orchard he might come there and stay. He did so because he could get cheap food and lodging. Now, don't mean that I think or the mine owners.

Yes, Orchard was in Haywood's house -also at this time and we can prove it, but he was not there often and he was ever in the bedroom."
Mr. Darrow quickly sketched the period Orchard's travels from Denver to Wal-

## Orchard's Trip to Wallace.

"If Orchard ever was here in Boise he said. "We know nothing of it, or if he saw Steunenberg here we know nothing of it, but we know that he did go to Portland and to Seattle, and then he went

to Wallace,
"It was the first time he had been in
Wallace since he had been driven out by
the militia. While there he saw Ed.
Boyce and Hutton and August Paulson
and his old associates in the Hercules
mine. They had all been as poor as he,
but now they were rich and he was a mine. They had all been as pool as he, but now they were rich and he was a tramp. Orchard followed his profession as gambler and confidence man in Wallace. He visited many persons whom he had known in the old days—among them Paulson. Then one day he went down to see Daye Coates, former lieutenant to see Daye Colorado who will testify begovernor of Colorado. who will testify be-fore you. Coates is a man without a blem-ish on his name and a man has to be pretty careful to live that way. Coates was running a semi-weekly paper in Wal-lace. He had met Orchard in Denver and asked the fellow what he was doing in

#### Proposed Kidnaping. "Orchard said he had come to see

son among the others; that they were all rich and he thought he'd steal Paulson's child. Coates, taking the matter said he had and Orchard then said that Bradley had got what he deserved—that he had been in the Coeur d'Alenes and was partly responsible for the militia being called into the district.

Threats Made by Orchard.

"Orchard said there was another of Bradley's kind—that it was Governor Steunenberg. 'If it had not have been for him,' said Orchard, 'I'd be a rich man teday, and I'll kill him if it is the last act ever attempt such a thing I will have a special edition of my paper on the streets

Indigestion, Dyspepsia or Constination. that Orchard while a detective in the employ of the agency killed Steun-enberg because of the old grudge of which he had spoken so often. He killed which he had spoken so often. He killed him in the most cowardly way a murder could be committed. He was caught red-handed and turned over to McParland, the head of the western branch of the Pinkertons. After some manipulation he was persuaded that the best thing he could do would be to place the blame on some one else, which he did. He is getting the biggest price for this he ever got for a crime. He hopes to save his miserable neck."

distress

from

after meals or

onst ipated bowels? Resort

to the Bitters promptly. will cure Heartburn, Sour Risings,

suffer

#### Arrest of the Prisoners.

Coming to the arrest of Haywood. Moyer and Pettibone, Darrow charged that it was all done by the Pinkertons on a perjured affidavit. He described the capture in Denver of Haywood, Moyer and Pettibone who, he said, were arrested, denied all the rights of citizens, kid-naped and brought to Bolse for trial.

maped and brought to Bolse for trial, where in the jail they have been waiting for a year and five months for a jury to pass upon their case.

"When Orchard was arrested," continued Mr. Darrow, "it was announced that he was a member of the Western Federation of Miners. Haywood was told of it and at once wired to Silver City. of it and at once wired to Silver City instructing them to look after the case. We will show that it is a part of the policy of this organization to look after its members, no matter how obscure.
Miller came and saw Orchard a few
times, but finding that McParland was
also visiting him, Miller decided that McParland could do Orchard more good than Parland could do Orchard more good than he could—and perhaps he was right.

"Many names have been mentioned by Harry Orchard of persons connected with him—generally in Cripple Creek. The union was scattered to the four winds from there, but we will bring before you nearly all of those whose names he has given you. We will bring you Davis and Easterly and others, and before we are through with them you will say we have had enough.

#### Labor Unions on Trial.

"Moyer, Haywood and Pettibone never had any connection with this man in any had any connection with this man in any criminal act. We will demonstrate to you before we are through that this is not a murder case; that Bill Haywood is not on trial, but that the state of Colorado has sent these men to Idaho thinking conditions and people here are different and that the Mine Owners' association of Colorado might succeed in hanging, executing these men and killing the Western Federation of Miners through them. That labor organization and all labor organizations and not Bill Haywood are ganizations and not Bill Haywood are on trial here."

on trial here."

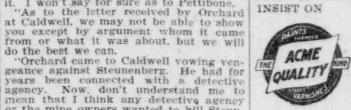
Mr. Darrow had spoken for three hours and twenty minutes. He was pretty well exhausted, and it was decided to postpone the taking of testimony until tomorrow morning. Mr. Darrow said he thought the defense would not require more than seven or eight days to conclude its case. Court adjourned until clude its case. C 9:30 a. m. tomorrow.

# No more

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noon and will probably go to Fort Du chesne, in the eastern part of the state

the union and had nothing to

nean that I think any detective agency r the mine owners wanted to kill Steun

enberg. I do not mean this, but I do

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OUR SYSTEM OF TREATING is superior to any in the country, and our cures are the result of these methods. We never fall to effect a cure in any case we take. If you suffer from neglect, from want of money or mr. Darrow told of the deportation of the union miners from Cripple Creek and the mosting of notices that no man should he allowed to work in the district without first renouncing a lelegiance to the union account the Mine Owners' association.

The attorney dwelt for some time unon the Cripple Creek troubles, saving that most of the men who were driven out and who who scattered to the four quarters of the west found it necessary to change their names. Mr. Darrow then came to Crchard and the word tall be more by sent him. It was sent in the name of J. Wolff, a clerk in Pettibone for money and gave full instructions how it should be sent, in what the first were sent to Simpler of the sentence of